Supervisor Stumbo called the meeting to order at approximately 7:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited followed by a moment of silent prayer.

Members Present: Supervisor Brenda L. Stumbo, Clerk Lovejoy Roe,

Trustees: Stan Eldridge, Heather Jarrell Roe Jimmie Wilson, Jr., and Monica Ross-Williams

Members Absent: Trustee Doe

Legal Counsel: Wm. Douglas Winters

PUBLIC COMMENTS

JoAnn McCollum, Township Resident explained that she had looked on the web and other places regarding recreational marijuana. She said that she read where there was no increase in problems with marijuana facilities in communities and also read where there was an increase. She said Ypsilanti Township was in a place that cannot afford increased problems with putting in these facilities. She said there was a dispensary on Ecorse Road in the City of Ypsilanti and having that facility operating has not slowed down the illegal sale of marijuana in West Willow. She said we already have problems in our community that need to be addressed, so she was encouraging the board to opt out of allowing these facilities to open in Ypsilanti Township. Ms. McCollum said she wanted to stick to the Master Plan for Ypsilanti Township.

Arloa Kaiser, Township Resident stated she did not want marijuana facilities in Ypsilanti Township and encouraged the board to opt out.

CONSENT AGENDA

A. MINUTES OF THE FEBRUARY 5, 2019 WORK SESSION, FEBRUARY 19, 2019 WORK SESSION, CLOSED SESSION AND REGULAR MEETING.

Supervisor Stumbo stated with the changes that were given.

- **B. STATEMENTS AND CHECKS**
 - 1. STATEMENTS AND CHECKS FOR MARCH 5, 2019 IN THE AMOUNT OF \$664,789.07

A motion was made by Clerk Lovejoy Roe supported by Trustee Eldridge to Approve the Consent Agenda.

The motion carried unanimously.

ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Given in the Work Session.

OLD BUSINESS

1. REQUEST OF FIRE DEPARTMENT CAPTIAN FRED ANSTEAD FOR YPSILANTI TOWNSHIP TO BECOME A MEMBER OF THE HOUSTON-GALVESTON AREA COUNCIL'S (H-GAC) COOPERATIVE PURCHASING PROGRAM KNOWN AS HGACBUY (TABLED AT THE FEBRUARY 19, 2019 REGULAR MEETING)

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to remove from table.

Jarrell Roe: Yes Eldridge: Yes Ross-Williams: Yes Lovejoy Roe: Yes Stumbo: Yes Wilson: Yes

The motion carried unanimously.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve Request of Fire Department Captain Fred Anstead for Ypsilanti Township to Become a Member of the Houston-Galveston Area Council's (H-GAC) Cooperative Purchasing Program Known as HGACBUY.

The motion passed. Trustees Jarrell Roe and Ross-Williams voted No.

NEW BUSINESS

1. REQUEST TO APPOINT BRAD CANNON TO THE YPSILANTI TOWNSHIP PARKS COMMISSION FOR THE TERM ENDING NOVEMBER 20, 2020

Brad Cannon said he has worked in skate shops for many years. He said he helps maintain Prospect Park. He said he has been a skate boarder for 14 years.

Trustee Eldridge stated we had four good candidates that applied for this position. He said Supervisor Stumbo had a good interview with Mr. Cannon and made a good choice.

Trustee Ross-Williams stated Ypsilanti Township was in need of skateboard parks and asked Mr. Cannon the average age for a participate, typical number who use the park, etc.

Mr. Cannon stated that based on the Ann Arbor parks the age range was about 8 years old and they have one skateboarder who is 65 years old. He said the average was about 10 years to mid-twenties.

A motion was made by Trustee Eldridge, supported by Trustee Jarrell Roe to Approve Request to Appoint Brad Cannon to the Ypsilanti Township Parks Commission for the Term Ending November 20, 2020.

The motion carried unanimously.

2. 1ST READING OF RESOLUTION 2019-07, PROPOSED ORDINANCE 2019-485, AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF YPSILANTI CODE OF ORDINANCES, CHAPTER 42-210 ENTITLED FIREWORKS

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve the 1ST Reading 2019-07, proposed Ordinance 2019-485, an ordinance to Amend the Charter Township of Ypsilanti Code of Ordinances, Chapter 42-210 Entitled Fireworks (see attached).

Supervisor Stumbo stated this Ordinance cut the days for fireworks from 30 down to 15.

Wilson: Yes Stumbo: Yes Lovejoy Roe: Yes Ross-Williams: Yes Eldridge: Yes Jarrell Roe: Yes

The motion carried unanimously.

3. REQUEST OF MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION IF NECESSARY TO ABATE PUBLIC NUISANCE FOR PROPERTY LOCATED AT 1114 HUNTER AVE. IN THE AMOUNT OF \$10,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023

A motion was made by Trustee Eldridge, supported by Trustee Jarrell Roe to Approve Request of Mike Radzik, OCS Director for Authorization to Seek Legal Action if Necessary to Abate Public Nuisance for Property Located at 1114 Hunter Ave. in the Amount of \$10,000.00 Budgeted in Line Item #101-950-000-801-023.

Michael Radzik, OCS Director stated this has been a vacant house for several years. He said they had hopes that the owner would take care of this but it has been inspected every year and they have not.

The motion carried unanimously.

4. REQUEST FOR AUTHORIZATION OF PURCHASE AGREEMENT WITH DTE FOR THE INSTALLATION OF TWO (2) NEW WOOD POLES, TWO (2) 58w LED LEOTEK FIXTURES, ONE WITH A 6' ARM AND ONE WITH 17'6" ARM TO BE LOCATED IN SUGARBROOK PARK IN THE AMOUNT OF \$2,779.94 TO BE BUDGETED IN LINE ITEM #101-956-000-926-050 CONTINGENT UPON APPROVAL OF THE BUDGET AMENDMENT

A motion was made by Trustee Eldridge, supported by Trustee Wilson to Approve Request for Authorization of Purchase Agreement with DTE for the Installation of

Two (2) New Wood Poles, Two (2) 58w LED Leotek Fixtures, one with a 6' Arm and one with 17'6" Arm to be Located in Sugarbrook Park in the Amount of \$2,779.94 to be Budgeted in Line Item #101-956-000-926-050 Contingent Upon Approval of the Budget Amendment (see attached).

The motion carried unanimously.

5. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019
AT APPROXIMATELY 7:00PM – CREATION OF STREETLIGHT SPECIAL
ASSESSMENT DISTRICT #214 LAKEWOOD/MAJESTIC LAKES

A motion was made by Trustee Jarrell Roe, supported by Trustee Eldridge to Approve Request to Set a Public Hearing Date of Tuesday, April 2, 2019 at approximately 7:00 p.m. – Creation of Streetlight Special Assessment District #214 Lakewood/Majestic Lakes.

Clerk Lovejoy Roe made a motion to amend the motion to approve setting all Public Hearings (6) for Tuesday, April 2, 2019.

A motion was made by Trustee Jarrell Roe, supported by Trustee Eldridge to support the amended motion to set all the Public Hearings that are on the Agenda:

- 5. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019 AT APPROXIMATELY 7:00PM – CREATION OF STREETLIGHT SPECIAL ASSESSMENT DISTRICT #214 LAKEWOOD/MAJESTIC LAKES
- 6. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019
 AT APPROXIMATELY 7:15 PM CREATION OF SECURITY CAMERA
 SPECIAL ASSESSMENT DISTRICT #071 LAKEWOOD/MAJESTIC LAKES
- 7. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019
 AT APPROXIMATELY 7:30PM CREATION OF STREETLIGHT SPECIAL
 ASSESSMENT DISTRICT #215 PONDS AT LAKEWOOD AND MAJESTIC
 PONDS
- 8. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019
 AT APPROXIMATELY 7:45PM CREATION OF SECURITY CAMERA
 SPECIAL ASSESSMENT DISTRICT #072 PONDS AT LAKEWOOD AND
 MAJESTIC PONDS
- 9. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019
 AT APPROXIMATELY 8:00PM CREATION OF STREETLIGHT SPECIAL
 ASSESSMENT DISTRICT #216 REDWOOD/NAUTICA POINTS APARTMENTS
- 10. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, APRIL 2, 2019
 AT APPROXIMATELY 8:15PM CREATION OF SECURITY CAMERA

SPECIAL ASSESSMENT DISTRICT #073 REDWOOD/NAUTICA POINTS APARTMENTS

The motion carried unanimously.

11. BUDGET AMENDMENT #4

A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams, to Approve Budget Amendment #4 (see attached).

The motion carried unanimously.

AUTHORIZATION AND BIDS

- 1. REQUEST OF SUPERVISOR BRENDA STUMBO TO SEEK QUOTES FOR THE FOLLOWING EQUIPMENT
 - TORO 5910 MOWER WITH 16' CUT WITH ENCLOSED CAB
 - FORD F-550 XL C/C REG CAB, 4X2, 2 DOOR, DRW
 - PULL BEHIND GASOLINE POWERED 12" CAPACITY WOOD CHIPPER
 - BOBCAT 36" TREE SPADE

A motion was made by Trustee Eldridge, support by Trustee Wilson, to Approve Request of Supervisor Brenda Stumbo to Seek Quotes for the Following Equipment

- Toro 5910 Mower with 16' Cut with Enclosed Cab
- Ford F-550 xl c/c Reg Cab, 4x2, 2 door, DRW
- Pull Behind Gasoline Powered 12" Capacity Wood Chipper
- Bobcat 36" Tree Spade

The motion carried unanimously.

OTHER BUSINESS

Supervisor Stumbo stated the board had agreed to add the following request.

12. REQUEST TO SET A PUBLIC HEARING DATE OF TUESDAY, MARCH 19, 2019 AT APPROXIMATELY 7:00PM – GRANT APPLICATION TO THE MICHIGAN NATURAL RESOURCES TRUST FUND FOR THE DEVELOPMENT OF LOONFEATHER PARK

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Request to set a Public Hearing Date for Tuesday, March 19, 2019 at Approximately 7:00 p.m. – Grant Application to the Michigan Natural Resources Trust Fund for the Development of Loonfeather Park.

The motion carried unanimously.

A motion was made by Trustee Wilson, supported by Trustee Jarrell Roe to Adjourn.

The meeting was adjourned at approximately 7:25PM.

Respectfully Submitted,

Brenda L. Stumbo, Supervisor Charter Township of Ypsilanti Karen Lovejoy Roe, Clerk Charter Township of Ypsilanti

Charter Township of Ypsilanti

RESOLUTION 2019-07

(In Reference to Ordinance 2019-485)

Amending the Township Code of Ordinances, Chapter 42 Section 210, Regulating the Days and Hours Fireworks May Be Used

Whereas, in 2013, the Michigan Legislature enacted a law which permitted the use of consumer fireworks during specified National Holidays, including the day before and the day after the specified National Holiday: and;

Whereas, under the State law adopted in 2013 the specified National Holidays were: New Year's Day (January 1); Martin Luther King Jr's Birthday (the third Monday in January); Washington's Birthday (the third Monday in February); Memorial Day (the last Monday in May); Independence day (July 4); Labor Day (the first Monday in September); Columbus Day (the second Monday in October); Veterans Day (November 11); Thanksgiving Day (the fourth Thursday in November); and Christmas Day (December 25).

Whereas, the 2013 State law expressly prohibited local municipalities from adopting ordinances regulating the use of fireworks during the National Holidays specified in the law (including the day before and the day after the National Holidays);

Whereas, the Michigan Legislature, on December 28, 2018, in response to citizen complaints regarding the use of fireworks during the 30 days identified as National Holidays, without any local control over the hours or days, adopted Public Act 634 of 2018;

Whereas, under Public Act 634, the Township has the right to prohibit the use of fireworks on any day of the year except for the following days of the year: December 31 until 1:00 am on January 1; and the Saturday and Sunday immediately preceding Memorial Day until 11:45 am on each day; June 29 to July 4 until 11:45 pm on each of those days; July 5 if that date is a Friday or Saturday until 11:45 pm; and the Saturday and Sunday immediately preceding Labor day until 11:45 pm on each day.

Whereas, under Public Act 634, the Township also has the right to prohibit fireworks before 11:00 am; and

Whereas, the Township Board has received numerous complaints from residents concerning the disturbances caused to their families, persons suffering from PTSD, and pets when fireworks are ignited late at night and into the early morning during the 30 National holidays identified in the 2013 State Law; and

Whereas, the Township Board believes that adoption of Ordinance 2019-485 restricting fireworks during specified days and times, permitted under Public Act 634, is in the best interest of the Township and its residents,

Now Therefore, Be it resolved, that Ordinance No. 2019- 485 is hereby adopted by reference.

CHARTER TOWNSHIP OF YPSILANTI

PROPOSED ORDINANCE NO. 2019-485

An Ordinance to Amend the Charter Township of Ypsilanti Code of Ordinances, Chapter 42-210 entitled Fireworks

The Charter Township of Ypsilanti hereby ordains that the Charter Township of Ypsilanti Code of Ordinances, Chapter 42-210 entitled Fireworks, is amended as follows:

Delete: In its entirety, Section 42-210 entitled Fireworks and

Add: The following new Fireworks provisions to Chapter 42.

- (a) Definitions: As used in this section;
 - (1) Consumer fireworks means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Produce Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks
 - (2) Firework or fireworks means any composition or device, except for a starting pistol, a flare gun, or a flare, designated for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.
 - (3) Low-impact fireworks means ground and handheld sparking devices as that phrase is defined under APA standard 87-1, 3.3, 3.1.1.1 to 3.1.1.8 and 3.5
 - (4) *Novelties* means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:
 - a. Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 or a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.
 - b. Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (a) are use, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
 - c. Flitter sparklers in paper tubes no exceeding one-eighth-inch in diameter.
- (b) Prohibition on use of consumer fireworks: A person shall not ignite, discharge or use consumer fireworks within the township on any day of the year, except for the following days after 11:00 a.m.
 - (1) December 31 until 1 a.m. on January 1.
 - (2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
 - (3) June 29 to July 4 until 11:45 p.m. on each of those days.

- (4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- (5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Violation - Civil Infraction

Violation of this ordinance constitutes a municipal civil infraction with a civil fine of \$1,000 for each violation and no other fine or sanction. The local law enforcement agency responsible for enforcement of this ordinance shall be entitled \$500 of the civil fine collected from violations.

Severability

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or enforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

Effective Date and Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect after publication in a newspaper of general circulation as required by law.

Karen Lovejoy Roe, Clerk Charter Township of Ypsilanti

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2019-485 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on March 5, 2019. The second reading is scheduled to be heard on April 2, 2019.

Exhibit A to Master Agreement

Purchase Agreement

This Purchase Agreement (this "<u>Agreement</u>") is dated as of February 26, 2019 between DTE Electric Company ("<u>Company</u>") and Charter Township of Ypsilanti ("<u>Customer</u>").

This Agreement is a "Purchase Agreement" as referenced in the Master Agreement for Municipal Street Lighting dated May 7, 2018 (the "Master Agreement") between Company and Customer. All of the terms of the Master Agreement are incorporated herein by reference. In the event of an inconsistency between this Agreement and the Master Agreement, the terms of this Agreement shall control.

Customer requests the Company to furnish, install, operate and maintain street lighting equipment as set forth below:

1. DTE Work Order	53301056		
Number:	If this is a conversion or replacement, indicate the Work Order Number for current installed equipment: N/A		
Location where Equipment will be installed:	[Sugarbrook Park], as more fully described on the map attached hereto as Attachment 1.		
Total number of lights to be installed:	2		
4. Description of Equipment to be installed (the "Equipment"):	Install two (2) new wood poles, two (2) 58w LED Leotek fixtures, one with 6' arm and the other with 17'6" arm.		
5. Estimated Total Annual Lamp Charges	\$283.16		
6. Computation of Contribution in aid of Construction ("CIAC	Total estimated construction cost, including labor, materials, and overhead:	\$3,629.42	
	Credit for 3 years of lamp charges:	\$849.48	
Amount")	CIAC Amount (cost minus revenue)	\$2,779.94	
7. Payment of CIAC Amount:	Due promptly upon execution of this Agreement		
8. Term of Agreement	5 years. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.		
9. Does the requested Customer lighting design meet IESNA recommended practices?	(Check One) YES NO If "No", Customer must sign below and acknowledge that the lighting design does not meet IESNA recommended practices BYENDA L. Stumbo Karch LWL 194 LOC		
10. Customer Address for Notices:	Charter Township of Ypsilanti 7200 S. Huron River Dr. Ypsilanti, MI 48197 Attn: Karen Lovejoy Roe		

11. Special Order Material Terms:
All or a portion of the Equipment consists of special order material: (check one) ☐YES ☐NO
If "Yes" is checked, Customer and Company agree to the following additional terms.
A. Customer acknowledges that all or a portion of the Equipment is special order materials (" <u>SOM</u> ") and not Company's standard stock. Customer will purchase and stock replacement SOM and spare parts. When replacement equipment or spare parts are installed from Customer's inventory, the Company will credit Customer in the amount of the then current material cost of Company standard street lighting equipment.
B. Customer will maintain an initial inventory of at least <u>0</u> posts and <u>0</u> luminaires and any other materials agreed to by Company and Customer, and will replenish the stock as the same are drawn from inventory. Costs of initial inventory are included in this Agreement. The Customer agrees to work with the Company to adjust inventory levels from time to time to correspond to actual replacement material needs. If Customer fails to maintain the required inventory, Company, after 30 days' notice to Customer, may (but is not required to) order replacement SOM and Customer will reimburse Company for such costs. Customer's acknowledges that failure to maintain required inventory could result in extended outages due to SOM lead times.
C. The inventory will be stored at Access to the Customers inventory site must be provided between the hours of 9:00 am to 4:00
pm, Monday through Friday with the exceptions of federal Holidays. Customer shall name an authorized representative to contact regarding inventory: levels, access, usage, transactions, and provide the following contact information to the Company:
Name:N/ATitle:N/A
Phone Number: N/A Email: N/A
The Customer will notify the Company of any changes in the Authorized Customer Representative. The Customer must comply with SOM manufacturer's recommended inventory storage guidelines and practices. Damaged SOM will not be installed by the Company.
D. In the event that SOM is damaged by a third party, the Company may (but is not required to) pursue a damage claim against such third party for collection of all labor and stock replacement value associated with the damage claim. Company will promptly notify Customer as to whether Company will pursue such claim.
E. In the event that SOM becomes obsolete or no longer manufactured, the Customer will be allowed to select new alternate SOM that is compatible with the Company's existing

F. Should the Customer experience excessive LED equipment failures, not supported by LED manufacturer warrantees, the Company will replace the LED equipment with other Company supported Solid State or High Intensity Discharge luminaires at the Company's discretion. The full cost to complete these replacements to standard street lighting equipment will be the responsibility of the Customer.

infrastructure.

Company and Customer have executed written above.	this Purchase Agreement as of the date first
Company:	Customer:
DTE Electric Company	Charter Township of Ypsilanti
Ву:	By Drena & Stew King by SIGNHERE
Name:	Name: Brenda L. Stumbo Karen Lovery loc
Title:	Title: Supervisor Cterk
	March 6, 2019

Attachment 1 to Purchase Agreement

Map of Location

[To be attached]



CHARTER TOWNSHIP OF YPSILANTI 2019 BUDGET AMENDMENT #4

March 5, 2019

AMOUNTS ROUNDED UP TO THE NEAREST DOLLAR

101 - GENERAL OPERATIONS FUND	Total Increase	\$10.991.00
		4.0,0000

Request to increase budget for retiree pay out of PTO time. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues: Prior Year Fund Balance 101-000-000-699.000 \$8,211.00

Net Revenues \$8,211.00

Expenditures: Salaries Pay Out - PTO & Sick 101-265-000-708.008 \$7,627.00

FICA 101-265-000-715.000 \$584.00

Net Expenditures \$8,211.00

Request to increase the budget for a DTE project to add two streetlights at Sugarbrook Park. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues: Prior Year Fund Balance 101-000-000-699.000 \$2,780.00

Net Revenues \$2,780.00

Expenditures: Street Light - Construction 101-956-000-926.050 \$2,780.00

Net Expenditures \$2,780.00

Motion to Amend the 2019 Budget (#4):

Move to increase the General Fund budget by \$10,991 to \$9,528,008 and approve the department line item changes as outlined.